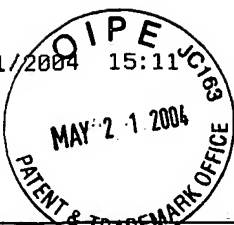


PTO/SB/31


**NOTICE TO APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**
Docket Number **36856.593**
CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to
Group Art Unit 2834, 703-872-9306, addressed to: Commissioner
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 21, 2004

Sonia V. McVean
Sonia V. McVean

In re Application of Takeshi NAKAO et al.

Application Number 10/043,204 Filed January 14, 2002

Title: SURFACE ACOUSTIC WAVE DEVICE AND
FREQUENCY ADJUSTMENT METHOD OF THE
SAME

Art Unit 2834

Examiner M. Budd

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the
examiner dated January 30, 2004.

The fee for this Notice of Appeal is (37 CFR 1.17 (b))

\$330.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee
shown above is reduced by half, and the resulting fee is: \$
- ☐ A check in the amount of the fee is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a
Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit
any overpayment to Deposit Account No. 50-1353. I have enclosed a duplicate
copy of this sheet.
- ☐ A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

05/25/2004 HTECKLU1 00000128 10043204

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**WARNING: Information on this form may become public. Credit card information should not be included in this
form. Provide credit card information an authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR
3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- ☒ attorney or agent of record. Registration Number 37,368
- ☐ attorney or agent acting under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a) .

Joseph R. Keating
Joseph R. Keating

May 21, 2004

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit
Multiple forms if more than one signature is required, see below.**

☐ *Total of ___ forms are submitted